

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



October 7, 1987

ALL COUNTY INFORMATION NOTICE NO. 1-88-8/

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: NEW INFORMATION ON CITIZENSHIP AND ALIENAGE
(AFDC, FOOD STAMPS, RCA, ECA and RDP)

The United States Immigration and Naturalization Service (INS) recently provided to the Department three items of information that will be of interest to counties. This letter transmits the information to each county.

The first item, Attachment 1, provides illustrations of new INS identification cards: I-688 -- Temporary Resident, and I-688A -- Employment Authorization. These cards are issued under the new Federal Immigration Reform and Control Act of 1986 (IRCA). Please note that for AFDC these cards do NOT provide documentation of eligible alien status as required in MPP Section 42-433.31. (The effect of these cards as documentation for the Food Stamp program will be explained in a letter that will be released in the near future.)

The second item, Attachment 2, is a memorandum on changes in Federal Law relative to the former Trust Territories of the Pacific Islands. The information contained in the memorandum can be used by counties when trying to determine initially whether an applicant from this area without proper documentation of citizenship or alien status should be treated as a citizen or as an alien until documentation can be obtained.

The third item of information relates to the Federal "Immigration Marriage Fraud Amendments of 1986." This law is separate and apart from the Immigration Reform and Control Act of 1986 (IRCA). The amendments establish Section 216 of the Immigration and Naturalization Act.

These amendments provide a new category of admission to the United States which is conditional. The new category is "alien lawfully admitted for conditional permanent residence." This category is applied to certain aliens who are admitted as a result of marriage to a United States citizen -- the alien spouse and other relatives that may be admitted because of this marriage. The conditional admission automatically EXPIRES in 2 years unless the conditional basis of the status is removed before that time.

A new revision of the Alien Registration Receipt Card (Form I-551) is being issued by INS that reflects the conditional nature of the alien's status. INS inspectors and adjudicators have been instructed to begin endorsing the passports of aliens granted conditional permanent residence with the new visa classification and the expiration date of the alien's conditionally admitted status. For example, the passport of an alien admitted on November 15, 1986 as the spouse of a citizen of the United States would be endorsed:

ADMITTED: CR-1


UNTIL: Nov. 15, 1988

The current Temporary I-551 stamp ("Processed for I-551, temporary evidence of lawful permanent residence,...") will continue to be used. As with all other immigrants, no Form I-94 is prepared.

The significance of this for each county is that for the person who establishes eligibility for aid with conditional documentation, eligibility for aid will expire with the expiration date of the conditional permanent residence document (I-551). Also counties will need to be aware that an alien may present purported evidence of eligible alien status which is genuine -- but may have already expired. Expired INS documentation cannot be accepted as evidence of eligible alien status.

Counties accepting conditional I-551s as evidence of eligible alien status will need to set up a tickler file so as to be able to check on the alien's eligible status at a time just before the document is due to expire.

If you have questions specific to AFDC, you may contact John Honeycutt at (916) 445-1131. For questions specific to Food Stamps, contact the Food Stamp Policy Implementation Unit at (916) 322-5330. Questions regarding INS issues should be directed to your regional INS office.



ROBERT A. HOREL
Deputy Director

Attachments

cc: CWDA

GREEN

RED

TEMPORARY RESIDENT

U.S. DEPARTMENT OF JUSTICE Immigration and Naturalization Service

A 90204055 GONZALEZ, ELIESER

Signature: *Elieser Gonzalez*

05/12/87 12/02/51 582

Issue Date DOB EOB

12/07/89 EXPIRES

X S F

245A

FORM I-688 MAY 87

EMPLOYMENT AUTHORIZATION

U.S. DEPARTMENT OF JUSTICE Immigration and Naturalization Service

A 90204055 GONZALEZ, ELIESER

Signature: *Elieser Gonzalez*

05/12/87 12/02/51 582

Issue Date DOB EOB

11/11/87 EXPIRES

X S F

245A

FORM I-688A MAY 87

YELLOW

I-688

I-688A

This card is issued to all aliens who are granted amnesty, or more specifically, "Temporary Resident" status. This same card is issued to both agricultural (SAWS) aliens as well as to those who qualify under the five year rule. (sec's 210 & 245A respectively) It will be supplanted by the standard form I-551 in the case of those aliens who eventually qualify for, and are granted Permanent Resident status.

Those temporary resident aliens who statutorily fail to qualify for, and are not granted permanent status, will be subject to deportation or expulsion from the United States.

Expired cards of any kind are not acceptable as proper identification and should be surrendered to INS as required by federal law.

This card is issued to all aliens who have met initial eligibility requirements and have a properly filed application for amnesty (Temporary Resident) status under consideration. The duration of validity for the I-688A is six months, within which time the applicant will either be granted or denied Temporary Resident status, retroactive to the date the application was filed.

The alien applicants who are denied will then be subject to deportation or expulsion from the United States.

All alien identification cards remain the property of the United States Government and must be surrendered to INS upon expiration or cancellation of the aliens right to be in, or remain in the United States.

Memorandum

Attachment 2
Page 1 of 3



SFR 212-C (E-2)
SFR 235

Subject Changes in Law Relative to the Former
Trust Territories of the Pacific Islands

Date DEC 12 1986

To DD

From ADDEXM

In October - November of 1986 two laws became effective relative to what was previously known as the Trust Territories of the Pacific Islands (TTPI). The Trust Territories have been dissolved and four (4) separate sovereign nations have been created from them. The following memo is a discussion of the new laws relative to the new nations.

HISTORY

The Trust Territories consisted of 2,203 islands with total population of approximately 150,000. The TTPI was created in 1947. The dissolution of the TTPI has been a goal of the U.S. for many years. The citizens of the TTPI previously enjoyed some small benefits relative to student employment. They were not U.S. citizens or nationals.

DISSOLUTION OF THE TRUST

With the enactment of PL 94-241 and 99-239 the Trust is dissolved. Four new nations have been created. Attached is a chart which can be distributed to officers which shows the benefits due to citizens of each of the four nations.

DAVID N. STILL
Assistant District Director
for Examinations

Attached:

Chart
Text of PL 94-241
Map of the area

Northern Mariana Islands - Population 17,000
Main Islands - Saipan - Tinian - Rota

1. Citizens of Northern Mariana Islands (NMI) declared citizens of the United States if;
 - a. were born in the NMI and were citizens of the TTPI on November 2, 1986 or,
 - b. are citizens of the TTPI and have been domiciled in the NMI for preceding 5 years or,
 - c. are domiciled in the NMI on November 2, 1986, are not citizens of the TTPI, but have been continuously domiciled in the NMI prior to January 1, 1974.

Persons born in NMI after November 3, 1986 are U.S. citizens at birth. Persons in the above categories a, b, c above are citizens as of November 3, 1986. U.S. citizens in the above categories will be expected to present U.S. passports or a certificate of identity issued by the Commonwealth of the Northern Mariana Islands.

INSPECTION NOTE: Aliens admitted to the NMI either as nonimmigrants or immigrants must be examined under the INA before traveling to other parts of the United States.

2. Republic of the Marshall Islands (RMI) population 35,000

Main islands - Kwajalein - Majuro

Is considered a Freely Associated State (FAS). Citizens of RMI are allowed to enter the U.S. without regard to 212(a)(14)(20)(26). This means they may live work or study in the United States. They may not naturalize or petition for relatives.

They will be expected to present a RMI passport (when available) or a TTPI travel document until passports are available.

INSPECTION NOTE: Citizens of the RMI will be given an I-94 with an admission stamp followed by the notation CFA/MIS. They should be given employment authorization.

3. Federated STATES of Micronesia (FSM) population 79,000

Main islands - Ponape - Truk

The FSM is a Freely Associated State similar in all respects to #2 (RMI)

INSPECTION NOTE: Citizens of FSM will be given an I-94 noted CFA/FSM

4. Republic of Palau (Palau) population 17,000

Main island - Koror

Palau is not covered by either PL 94.241 or 99.239. Citizens of Palau must still qualify as immigrants or nonimmigrants. They may be accorded any special treatment under the OI's formerly granted to citizens of the TTPI relative to student employment.

TRUST TERRITORY

of the PACIFIC ISLANDS

NORTHERN MARIANA, CAROLINE,
AND MARSHALL ISLANDS

97 INHABITED ATOLLS AND SEPARATE ISLANDS
OCEAN AREA APPROXIMATELY 3,000,000 Sq. Miles
LAND AREA APPROXIMATELY 700 Sq. Miles
2,141 ISLANDS

- OFFICE OF THE HIGH COMMISSIONER
- DISTRICT ADMINISTRATOR
- DISTRICT ADMINISTRATOR'S REPRESENTATIVE
- X UNINHABITED

MARSHALL ISLANDS DISTRICT
AREA 69.84 Sq. Mi.

MARIANA ISLANDS DISTRICT
AREA 183.50 Sq. Mi.

PONAPE DISTRICT
AREA 175.68 Sq. Mi.

TRUK DISTRICT
AREA 45.74 Sq. Mi.

YAP DISTRICT
AREA 45.89 Sq. Mi.

WESTERN CAROLINE ISLANDS
PALAU DISTRICT
AREA 179.35 Sq. Mi.

EASTERN CAROLINE ISLANDS

Tony MUNA, II.

ARON HAL SICK, II

MOTARO HELMAD

VICINITY MAP

0 100 200 300
NAUTICAL MILES

1300

1350

1400

1450

1500

1550

1600

1650

1700

NOTE: Broken lines indicate territorial area and districts of jurisdiction and are not to be interpreted as boundaries.